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November 5, 2024

VIA ECF

The Hon. Jesse M. Furman
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007-1312

RE: *Blue Spike LLC et al. v. Warner Music Group et al.*, Civil Action No.
1:22-cv-7600-JMF

Dear Judge Furman:

Pursuant to your Honor's Order of Dismissal dated September 6, 2024 (ECF No. 99), the parties hereby jointly submit this letter to the Court. The parties are in general agreement that they need additional time to finalize a settlement agreement. However, given the language of the Order of Dismissal, the parties have differing positions as to the correct procedural vehicle to accomplish this goal. Accordingly, Defendants ask the Court to grant an approximate three-week extension, to November 27, 2024, for Plaintiffs' deadline to file a motion to reopen the case if a settlement has not yet been consummated. Out of an abundance of caution, Plaintiffs, by way of this letter, move to reopen this action because a final settlement has not yet been consummated and no extension has yet been granted. If the case is reopened, the parties jointly request an additional three weeks of time, until November 27, 2024, prior to the Court setting a scheduling conference in order to allow them to finalize their settlement agreement.

The parties continue to engage in discussions to finalize the settlement in principle agreed to before Magistrate Judge Aaron on September 6, 2024. Defendants' counsel has indicated that it is still editing a draft settlement agreement proposed by Plaintiffs. However, additional time will be needed after November 5, 2024, the deadline for the Plaintiffs to request reopening of the action, to finalize and execute a formal agreement. To the extent the parties have not finalized an agreement for execution by November 27, 2024, Plaintiffs anticipate requesting the scheduling of a status conference at the Court's convenience.

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Respectfully submitted,

/s/ Christopher L. May

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Warner Music Group Corp., et al.

Cc: Counsel of Record (via ECF)

Application for an extension is GRANTED. Parties shall file a motion to reopen no later than **November 27, 2024**. The Clerk of Court is directed to terminate ECF No. 101.

SO ORDERED.

A handwritten signature in black ink, appearing to read "Paul Garrity", is written over the "SO ORDERED." text.

November 6, 2024